IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINETH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 9301 of 2004

Between:

M/s. Captain Wines, Fort Road, Warangal, rep. by its Licensee

Sri B. Ramesh, S/o. Kanakaiah, Age 42 Years, Occ: Business,

R/o. Fort Road, Warangal.

..... PETITIONER

AND

1. The Commissioner, Prohibition and Excise, Nampally,

Hyderabad.
2. The Prohibition & Excise Superintendent, Warnagal, Warangal

District.
3. Smt. Susheela Bai, W/o. Narsing Lal, R/o. H.No. 16-3-1004,

Fort, Warangal, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue Writ of Mandamus or any other appropriate Writ, Order or Direction, directing the 1st respondent to consider the objection petition filed by the petitioner herein dated 20-5-2004 and hear the objections and pass appropriate orders till then to direct the 1st respondent not to issue IL- 17 licence in the name of 3rd respondent in premises bearing No. 16-3-1004, Fort, Warangal by declaring the action of the 1st respondent proposed to issue licence without passing the orders on the objection petition dated 20-5-2004 as illegal and may be further declare that the 1st respondent has no jurisdiction to grant IL-17 licence in favour of 3rd respondent without notifying the number of shops in locality as per Rule 28 of APIL & FL in the

interest of Justice and equity.

Counsel for the Petitioner: MR.A.RAVINDER

Counsel for the Respondent Nos.1&2: GP FOR PROHIBITION & EXCISE

Counsel for the Respondent No.3: None appeared.

The Court made the following :

Writ Petition No.9301 of 2004

O R D E R:-

Heard both the learned Counsel. It is represented by the learned Counsel for the petitioner that subsequent to the filing of this writ petition, final orders have been passed and having regard to the same, this writ petition has become infructuous.

Recording the above, this writ petition is dismissed as having become infructuous with liberty to the petitioner to avail the remedies as are open to him under Law. No costs.

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B.PRAKASH RAO, J

Date: 29th October, 2004.

Cs/STV

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1.The Commissioner, Prohibition and Excise, Nampally,

Hyderabad.

2. The Prohibition and Excise Superintendent, Warangal, Warangal

District.

3. Two C.Cs. to the Government Pleader for Prohibition and Excise,

High Court Buildings, Hyderabad. (O.U.T.)

4. Two C.D. copies.